

**IN THE UNITED STATES DISTRICT COURT FOR THE
SOUTHERN DISTRICT OF ALABAMA
SOUTHERN DIVISION**

MICHAEL SMITH,

Plaintiff,

VS.

TOM TATE, et al.,

Defendants.

$$\begin{array}{c}) \\) \\) \\) \\) \\) \\) \\) \end{array}$$

CIVIL ACTION 05-0426-BH-D

JUDGMENT

It is **ORDERED, ADJUDGED, and DECREED** that this action be and is hereby **DISMISSED without prejudice.**

DONE this 14th day of December, 2005.

s/ W. B. Hand

SENIOR DISTRICT JUDGE